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BOOK REVIEWS

HISTORY OF THE SAN FRANCISCO COMMITTEE OF VIGILANCE OF 1851. By Mary Floyd Williams. University of California Publications in History, Volume XII. Berkeley: The University of California Press. 1921. Pp. xii, 543.

PAPERS OF THE SAN FRANCISCO COMMITTEE OF VIGILANCE OF 1851. By Mary Floyd Williams (editor). Publications of the Academy of Pacific Coast History, Volume IV. Berkeley: The University of California Press. 1921. Pp. xvi, 906.

Referring to the subject of her history in the introductory chapter, the author says: "Probably every reader of these pages already knows that the men who organized them (the Vigilance Committees of 1851 and 1856) were respectable and influential members of the body politic; that for brief periods they assumed unlawful control over criminal matters in their city; that they arrested and confined prisoners at their own discretion, hanged whom they would, and banished from the state citizens and aliens whose presence they deemed a menace to the public order, while the community not only tolerated their usurpation of power but supported them in the infliction of the most condign punishments. But it is not so generally known that these societies which defied the law regulated their conduct by the ordinary practices of parliamentary procedure, and kept careful record of their daily actions."

These records and other miscellaneous papers of the committee have been annotated and indexed by the author of the History and appear as a separate volume under the title, "Papers of the San Francisco Committee of Vigilance of 1851." The History itself grew out of the task of editing the records and papers. Although originally designed as an introductory chapter merely, the "history" developed into what that name implies, a real interpretation of events and institutions. The author has presented her conclusions clearly and interestingly, and as far as one can judge who is not himself thoroughly familiar with the subject matter, has done well what she set out to do—"its history should be presented in detail, based on the authentic records of its daily doings, stripped as far as possible of false glamour and false condemnation, and fairly related to the causes which engendered it."

The book has a peculiar interest for the thoughtful lawyer. While it is no longer true, as in the heyday of the San Francisco Vigilance Committee, that a day's ride will put a criminal beyond pursuit, nor that jails are so insecure that a prisoner can escape (as George Adams did) three times successively within six weeks, nor that it is possible for the accused's attorney to delay trial until all the witnesses for the prosecution have flowed on to parts unknown with the ever-running stream of gold-seekers, nevertheless

extra-legal "justice" such as that dealt out by the Committee has not passed. Though circumstances have greatly changed, we have yet our Ku Klux Klan and our daily lynchings. What is there behind all these phenomena? What are their causes? What historical connection is there between the popular justice of 1851 and that of today? These are questions which are always to the fore in our author's consideration of the incidents of 1851. Her observations (and especially the bibliographies and discussions in the introductory chapter and in Chapters XIX and XX) will furnish plenty of food for thought to those who are concerned with lynch law as a modern problem.

BURKE SHARTEL.

THE LAW OF CONTRACTS. By Samuel Williston. Volume V, Forms, by Clarence M. Lewis. New York: Baker, Voorhis & Co. 1922. Pp. xi, 725.

The present volume contains a very useful collection of practical forms for contracts having to do with the more complicated transactions of modern business. The ordinary and more simple forms usually to be found in books of this general character have given place to such matters as labor protocols, employment contracts, motion picture agreements, commercial contracts of various kinds, separation agreements, etc. Emphasis has also been placed upon the more intricate kinds of building contracts, leases, land contracts, and partnership and corporate agreements.

One is impressed with the accuracy and conciseness of expression which characterizes the specimens set forth. There is a commendable lack of the prolixity and attendant obscurity which have so frequently marred legal draftsmanship. The forms are "keyed" to the text of Williston's work on Contracts and have been annotated somewhat, particularly with reference to the New York decisions. The book is a fitting supplement to Professor Williston's monumental work and will be found especially helpful by those who are called upon to formulate the more complicated agreements of modern life.

GROVER C. GRISMORE.

TREATIES AND AGREEMENTS WITH AND CONCERNING CHINA, 1894-1919. By John V. A. MacMurray. The Carnegie Endowment for International Peace. New York: Oxford University Press. 1921. Two volumes: pp. xlvii, 928; 929-1729.

"Whoever understands China socially, politically, economically, religiously holds the key to world politics for the next five centuries." The prediction of John Hay, former Secretary of State of the United States, has indeed been justified. With the ending of the World War a new era has begun—an era in which the center of gravity in matters international has shifted to the Pacific and the Far East. On account of its extensive territory, dense population, and geographical position, China certainly occupies an important